

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

J.G.,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION FILE
vs.	:	
	:	NO. 1:20-cv-05233-SEG
NORTHBROOK INDUSTRIES, INC., D/B/A UNITED INN AND SUITES,	:	
	:	
Defendant.	:	

**PLAINTIFF’S MOTION TO FILE OUT-OF-TIME RESPONSE IN
OPPOSITION TO DEFENDANT’S RULE 412 MOTION AND
RESPONSE IN OPPOSITION**

Plaintiff files this Motion to File Out-of-Time Response in Opposition to Defendant’s Rule 412 Motion (Doc. 175) and Response in Opposition. In support, Plaintiff states as follows:

1. On February 26, 2025, Plaintiff filed her Consolidated Motions *in Limine*. (Doc. 161). In that filing, Plaintiff argued that Rule 412 governs certain potential trial evidence regarding her sexual history and that the Court should preclude such evidence to avoid running afoul of Rule 412. (Doc. 161 at 21-24).
2. On March 14, 2025, Defendant responded in opposition and stated that it intended to file a motion under Rule 412 in accordance with Rule 412(c)(1). (Doc. 165 at 17, n.7).

3. On March 26, 2025, Plaintiff filed a reply in support of her Consolidated Motions *in Limine* and addressed Defendant's response arguments on Rule 412. (Doc. 173 at 8-10).

4. On April 8, 2025, Defendant filed a Rule 412 Motion and Memorandum of Law in Support. (Doc. 175).

5. Plaintiff did not respond in opposition to the April 8th Motion because Plaintiff previously briefed her position on the application of Rule 412 in her briefing on her Consolidated Motions *in Limine*.

6. Nevertheless, out of an abundance of caution, and to reiterate her position, Plaintiff hereby files this response indicating her opposition to Defendant's Rule 412 Motion at Doc. 175 for the reasons stated in Plaintiff's Consolidated Motions *in Limine* (Doc. 161 at 21-24) and in her reply brief (Doc. 173 at 8-10). Plaintiff hereby adopts and incorporates the arguments set forth in those previously-filed briefs.

7. Plaintiff's counsel has consulted with Defendant's counsel regarding this out-of-time motion. Defendant's counsel opposes Plaintiff filing this out-of-time opposition to Defendant's Rule 412 Motion.

For these reasons, Plaintiff respectfully requests that the Court grant her Motion to File Out-of-Time Response in Opposition to Defendant's Rule 412 Motion (Doc. 175) and Response in Opposition.

This 5th day of May, 2025.

/s/ David H. Bouchard

David H. Bouchard
david@finchmccranie.com
Georgia Bar No. 712859
Oto U. Ekpo
oto@finchmccranie.com
Georgia Bar No. 327088

FINCH McCRANIE, LLP
229 Peachtree Street, NE
Suite 2500
Atlanta, Georgia 30303
(404) 658-9070 – Telephone
(404) 688-0649 – Facsimile

/s/ Patrick J. McDonough

Jonathan S. Tonge
jtonge@atclawfirm.com
Georgia Bar No. 303999
Patrick J. McDonough
pmcdonough@atclawfirm.com
Georgia Bar No. 489855

ANDERSEN, TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Boulevard, Suite 4000
Duluth, Georgia 30097
(770) 822-0900 – Telephone

Attorneys for Plaintiff

CERTIFICATE OF COMPLIANCE

This is to certify that the foregoing pleading has been prepared with a font and point selection approved by the Court in LR 5.1., NDGA. Specifically, the above-mentioned pleading was prepared using Times New Roman font of 14-point size.

Respectfully submitted,

/s/ David H. Bouchard

David H. Bouchard

david@finchmccranie.com

Georgia Bar No. 712859

FINCH McCRANIE, LLP
229 Peachtree Street, NE
Suite 2500
Atlanta, Georgia 30303
(404) 658-9070 – Telephone
(404) 688-0649 – Facsimile

Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that Plaintiff, through her attorneys, has served a true and correct copy of the foregoing pleading into this District's ECF System, which will automatically forward a copy to counsel of record in this matter.

Dated: This 5th day of May, 2025.

/s/ David H. Bouchard

David H. Bouchard

david@finchmccranie.com

Georgia Bar No. 712859

FINCH McCRANIE, LLP
229 Peachtree Street, NE
Suite 2500
Atlanta, Georgia 30303
(404) 658-9070 – Telephone
(404) 688-0649 – Facsimile